

224



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,635	10/17/2001	David Thompson	BRDC:039	7014

7590 12/01/2004  
H. Dale Langley, Jr.  
The Law Firm of H. Dale Langley, Jr., P.C.  
610 West Lynn  
Austin, TX 78703

EXAMINER

BILGRAMI, ASGHAR H

ART UNIT	PAPER NUMBER
----------	--------------

2143

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/981,635

Applicant(s)

THOMPSON ET AL.

Examiner

Asghar Bilgrami

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All \* b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 1 recites the limitation "distinct ones of each of the at least one data type" on line 3 and "storing each distinct one of the at least one data type". There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination the examiner has rephrased the limitations to be read as "a parser for parsing the information into at least one distinct data type" and "queue for storing at least one data type" respectively.

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. The specification is objected to under 35 U.S.C. 112, first paragraph, as failing to provide an adequate written description of the invention and failing to adequately teach how to make and use the invention, i.e. failing to provide an enabling disclosure.

Art Unit: 2143

6. Claims 14-23 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure, which is not enabling. Applicant's specification lacks the proper teachings that is critical or essential to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). Applicant claims a tokenization database connected to the server. In the specification the applicant only mentions about a storage subsystem that may also provide a repository for storing various databases that may be used to store information on page 8. The applicant has not provided within the specification the details about tokenization database and services related to tokenization, which facilitates the claimed communication network. It would require undue experimentation for one of ordinary skill in the networking art at the time the invention was made to determine the details of using tokenization database in facilitating the communication network.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Hofmann (U.S. 6,757,796 B1).

9. As per claim 1 Hofmann disclosed a communications network for communicating an information comprised of at least one data type, comprising: a parser for parsing the information into at least one distinct data type; queue for storing at least one data type(col.1, lines 15-20, 66-67, col.2, lines 1-23 & lines 46-59).

10. As per claim 2 Hofmann disclosed the communications network of claim 1, further comprising a client device communicatively connected to the queue for receiving the information communicated over the network (col.4. lines 60-67 & col.5, lines 1-10).

11. As per claim 3 Hofmann disclosed the communications network of claim 2, further comprising a server including the parser and the queue; wherein the server transmits the data type of each queue in accordance with a pre-determined priority sequence (col.5, lines 43-67 & col.6, lines 1-36).

12. As per claim 4 Hofmann disclosed a method of prioritizing information communications according to data types of the information, comprising the steps of receiving the information; and parsing the information to separate and segregate data types (col.6, lines 9-37 & lines 48-63).

13. As per claim 5 Hofmann disclosed the method of claim 4, further comprising the steps of: saving the separate data types in respective queues; and sending the information in a prioritized sequence via the respective queues (col.6, lines 9-37 & lines 48-63).

14. As per claim 6 Hofmann disclosed the method of claim 5, wherein the step of sending includes round-robin successive sending from each respective, queue according to the prioritized sequence (col.8, lines 52-65 & col.9, lines 9-24).

15. As per claim 7 Hofmann disclosed a method of communications, wherein a client device communicates with a server computer over a network, comprising the steps of: receiving an information by the server computer; pre-processing the information by replacing sequences of data of the information with pre-defined identifiers; sending the information with the pre-defined identifiers substituted for the sequences of data (col.6, lines 9-36 & lines 48-63).

16. As per claim 8 Hofmann disclosed the method of claim 7, further comprising the steps of: receiving the information with the pre-defined identifiers substituted for the sequences of data; and replacing the pre-define identifiers with the sequences of data to obtain the information in original form (col.6, lines 9-36 & lines 48-63).

17. As per claim 9 Hofmann disclosed the method of claim 7 wherein, the method is performed by a server computer communicatively connected to a client computer (col.3, lines 47-55).

18. As per claim 10 Hofmann disclosed the method of claim 8, wherein the steps of receiving and replacing are performed by the client computer col.5, lines 1-15).

Art Unit: 2143

19. As per claim 11 Hofmann disclosed a server computer for receiving information including data sequences and for relating data sequences to defined identifiers, comprising: a pre-processor for replacing data sequences of the information with defined identifiers (col.6, lines 9-36 & lines 48-63).

20. As per claim 12 Hofmann disclosed the server computer of claim 11, further comprising: a relational database of the defined identifiers (col.7, lines 36-57).

21. As per claim 13 Hofmann disclosed the server computer of claim 12, wherein the information is an HTML page and the defined identifiers of the relational database include data sequences indicative of recurring HTML code sequences (col.4, lines 39-49).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2143

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Asghar Bilgrami  
Examiner  
Art Unit 2143

AB

W.C. Vaughn  
Primary Examiner  
Art Unit 2143  
William C. Vaughn